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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 05-4406

ROSARIO LINDSEY, individually and as
Executrix of the Estate of Charles Lindsey,
Appellant

v.
CATERPILLAR, INC.

On Appeal from the United States District Court
for the District of New Jersey
No. 03-cv-05762
District Judge: Honorable Garrett E. Brown, Jr., Chief Judge

ORDER AMENDING OPINION

It appearing that the Clerk made a typographical error in the spelling of the name of counsel for Appellant, the precedential opinion filed on March 26, 2007 is hereby amended to correct that typographical error. Neil E. Durkin, not Neil E. Durking, argued on behalf of Appellant. The letter “g” is deleted from the listing of counsel’s name on page one. This amendment does not change the date of filing, March 26, 2007.

For the Court,

/s/ Marcia M. Waldron
Clerk

Dated: March 29, 2007

lwc/cc: RGB NED JHK